

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|--------------------------|---|---------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | No. 08 CR 401-1 |
| |) | Hon. James B. Zagel |
| ISAIAH HICKS |) | |

**INFORMATION STATING PREVIOUS DRUG CONVICTION TO BE
RELIED UPON IN SEEKING INCREASED PUNISHMENT**

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, hereby files this Information Stating Previous Conviction to Be Relied Upon in Seeking Increased Punishment pursuant to 21 U.S.C. § 851(a):

In the event the defendant is convicted of the offense under Title 21, United States Code, Section 846 charged in Count One of the Indictment in this case, the United States shall seek increased punishment pursuant to Title 21, United States Code, Section 841(b) based on one of the following convictions for a felony drug offense which became final prior to the commission of the offense charged in Count One of the Indictment:

(1) On or about September 13, 1993, the defendant was convicted of possession of a controlled substance with the intent to deliver, in the Circuit Court of Cook County, Illinois, in case number 93CR1816201. The defendant was sentenced to 6 months' imprisonment in Cook County Department of Corrections.

(2) On or about September 20, 2000, the defendant was convicted of

manufacturing/delivery of cocaine, in the Circuit Court of Cook County, Illinois, in case number 99CR2259901. The defendant was sentenced to nine years' imprisonment in the Illinois Department of Corrections.

(3) On or about July 28, 2004, the defendant was convicted of possession of a controlled substance, in the Circuit Court of Cook County, Illinois, in case number 04CR1507901. The defendant was sentenced to three years' imprisonment in the Illinois Department of Corrections.

WHEREFORE, the government gives notice that defendant has at least one prior conviction for a felony drug offense, and thus the sentence upon his conviction for the offense under Title 21, United States Code, Section 846 charged in Count One of the Indictment in this case shall include a term of imprisonment of not less than 20 years and not more than life, a fine not to exceed \$8,000,000, and a term of supervised release of not less than 10 years up to and including any number of years, pursuant to Title 21, United States Code, Section 841(b)(1)(A)(iii).

Dated: Chicago, Illinois
August 26, 2007

Respectfully submitted.
PATRICK J. FITZGERALD
United States Attorney

By: /s/Sharon R. Fairley
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Certificate of Service

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, L.R. 5.5 and the General Order on Electronic Case Filing (ECF), the **INFORMATION STATING PREVIOUS DRUG CONVICTION TO BE RELIED UPON IN SEEKING INCREASED PUNISHMENT**, was served pursuant to the district court's ECF system as to ECF filers, and that such filing will give notice to all parties.

By: /s/ Sharon R. Fairley
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